

Notice of Exemption

To:

Office of Planning and Research
For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

Street Address:
1400 Tenth Street
Sacramento, CA 95814

From:

Department of Fish and Wildlife
715 P St., 17th Floor
Sacramento, CA 95814



Project Title: South Fork Eel Sustainable Water Systems

Project Applicant: Mendocino County Resource Conservation District (MCRCD)

Project Location: The project areas are located at 61980 (APN 056-460-08-00), 62200 (APN 056-460-04-00), 62400 (APN 056-460-01-00), and 62000 (APN 056-460-07-00) Bell Springs Road Laytonville, CA in Mendocino County.

Project Description: CDFW's Cannabis Restoration Grant Program awarded MCRCD a grant (Agreement #Q2291202) for the South Fork Eel Sustainable Water Systems (Project). The purpose of this Project is to install three rainwater collection systems, install three large volume water storage tanks, perform irrigation infrastructure upgrades, design and install bioswales for stormwater treatment, develop and implement an invasive species management plan, install native, pollinator-friendly plants, assess and remove legacy fencing, and prepare site-specific CEQA documentation required for cannabis cultivators.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

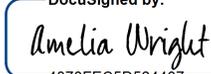
Person or Public Agency Carrying out Project: Stephanie Garrabrant-Sierra, Executive Director, Mendocino County Resource Conservation District

Exempt Status:

Categorical Exemption. State type and section number: Class 4 and Class 33 (California Code of Regulations, title 14, sections 15304 and 15333)

Reasons why project is exempt: This project is limited to the design and installation of a rainwater collection, storage, and distribution system at each property, assessment and installation of bioswales, the planting of a variety of native, pollinator friendly plantings into the bioswales, assessment of the plant biology on each parcel, determination of invasive plant species, development of a plan for their successful and sustained management, and implementation of that plan, and (5) accurately mapping the existing legacy fencing on all three parcels, removal of the infrastructure, and disposing or reusing the fence. These actions will not result in a significant disturbance to an environmental resource.

CDFW Contact Person: Margaret Romo, Senior Environmental Scientist (Specialist), (916) 542-3840

DocuSigned by:

Signature: _____
Amelia Wright, Cannabis Program Director

Date: 2/6/2023

ATTACHMENT TO NOTICE OF EXEMPTION

Re: South Fork Eel Sustainable Water Systems

The California Department of Fish and Wildlife (CDFW) developed the Cannabis Restoration Grant Program (CRGP) to support clean up, remediation, and restoration efforts in watersheds affected by cannabis cultivation pursuant to Revenue and Taxation Code Section 34019(f)(2).

Pursuant to Fish and Game Code Section 1501.5(b), CDFW awarded Mendocino County Resource Conservation District (MCRCD) a grant (Agreement #Q2291202) for the implementation of South Fork Eel Sustainable Water Systems (Project). The general purpose of this Project is to install three rainwater collection systems, install three large volume water storage tanks, perform irrigation infrastructure upgrades, design and install bioswales for stormwater treatment, develop and implement an invasive species management plan, install native, pollinator-friendly plants, assess and remove legacy fencing, and prepare site-specific CEQA documentation required for cannabis cultivators.

Categorical Exemptions for Minor Alterations to Land.

CDFW concluded the Project meets the criteria of the categorical exemption contained in CEQA Guidelines Sections 15304 (Minor Alterations to Land). Therefore, the Project is exempt from the provisions of CEQA under the Class 4 exemption.

The Class 4 exemption applies to minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes. The Project purpose is to: (1) design and install a rainwater collection, storage, and distribution system at each property, (2) assess and install bioswales to slow, spread, and sink stormwater in the uplands of the watershed to increase infiltration and ensure that any water discharged will be clean and move slowly to avoid erosion and sedimentation problems, (3) plant a variety of native, pollinator friendly plantings into the bioswales, (4) assess the plant biology on each parcel, determine which invasive plant species are present, develop a plan for their successful and sustained management, and implement that plan, and (5) accurately map the existing legacy fencing on all three parcels, remove the infrastructure, and dispose fencing or reuse it properly. These activities will result in improvement of habitat for fish and wildlife resources by improving stormwater distribution, reduce erosion and sedimentation, contribute native flora, and plan for sound future management practices.

Categorical Exemption for Small Habitat Restoration Projects.

CDFW concluded the Project falls within the Class 33 categorical exemption, Small Habitat Restoration Projects, pursuant to CEQA Guidelines Section 15333. The exemption applies to projects not exceeding five acres to assure the maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife. The project purpose is to: (1) assess and install bioswales to slow, spread, and sink stormwater in the uplands of the watershed to

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increase infiltration and ensure that any water discharged will be clean and move slowly to avoid erosion and sedimentation problems, (2) plant a variety of native, pollinator friendly plantings into the bioswales, (3) assess the plant biology on each parcel, determine which invasive plant species are present, develop a plan for their successful and sustained management, and implement that plan, and (4) accurately map the existing legacy fencing on all three parcels, remove the infrastructure, and dispose fencing or reuse it properly. Since the Project does not exceed five acres and will restore and enhance the area and ensure continued maintenance, the Class 33 exemption is appropriate.

CDFW does not believe reliance on the Class 4 and Class 33 categorical exemptions to fund the Project under CEQA is precluded by the exceptions set forth in CEQA Guidelines section 15300.2. CDFW's review and determination was guided by the California Supreme Court's 2015 decision in *Berkeley Hillside Preservation v. City of Berkeley*. CDFW reviewed all available information in its possession relevant to the issue and does not believe the Project poses any unusual circumstances that would constitute an exception to the cited categorical exemptions. No potentially significant effects from either a project specific or cumulative basis are expected from this Project. In the direct removal of refuse, hazardous chemicals, environmental contaminants, and the dismantling of infrastructure from illicit public land cannabis cultivation complexes, the Project is expected to provide benefits to existing environmental resources. Lastly, other location based exceptions, including scenic highways, hazardous waste sites, and proximity to historical resources, are not relevant to this Project.